

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

☒ A change in zoning classification of the property hereinafter described; or

☐ A change in conditions to an existing conditional zoning plan.

193-303-04, 193-303-10 & 193-303-14

Tax parcel number(s): _____
9721 E. Independence Boulevard, 9715 E. Independence Boulevard & 1725 Windsor Square Drive

Address of property: _____
Three parcels totalling approximately 2.4 acres, bounded by East Independence Boulevard to the south, Windsor Square Drive to the east and Windsor Crossing Drive to the north

Location of property: _____

Title to the property was acquired on 9/25/2009, 10/5/1990 & 1/15/2004
and was recorded in the name of PMPJL LLC, Rebpat Leasing & TMB Ventures LLC
whose mailing address is see attached

The deed is recorded in Book see attached and Page see attached in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: Conditional Requested zoning classification: B-1(CD) & B-2(CD)

ZONING APPLICATION 2011-578

193-303-04 (PARCEL C)

9721 East Independence Boulevard

Owner: PMPJL LLC

Mailing address: 112 East William David Parkway
Metairie, LA 70005

Deed reference: 25105-347; 9/25/2009

Present zoning: Conditional

Proposed zoning: B-1(CD)

193-303-10 (PARCEL B)

9715 East Independence Boulevard

Owner: Rebpat Leasing

Mailing address: PO Box 240525
Charlotte, NC 28224-0525

Deed reference: 6369-525; 10/5/1990

Present zoning: Conditional

Proposed zoning: B-2(CD)

193-303-14 (PARCEL E)

1725 Windsor Square Drive

Owner: TMB Ventures LLC

Mailing address: 245 Old Hickory Road
Locust, NC 28097

Deed reference: 16676-921; 1/15/2004

Present zoning: Conditional

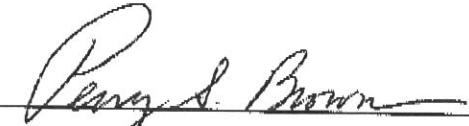
Proposed zoning: B-1(CD)

List reason(s) why zoning should be changed (use separate sheet if necessary):

The zoning request seeks to convert these properties from the defunct "old conditional" zoning to either the B-1 or B-2 zoning categories in the current Zoning Ordinance.

Application number

For office use only

✓ 
Signature of property owner (must be original)
PMPJL LLC

Print name of property owner
112 East William David Parkway

Property owner's mailing address
Metairie LA 70005

Property owner's mailing address, continued

Property owner's mailing address, continued

504-835-1636 / honeyb9@cox.net
Property owner's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

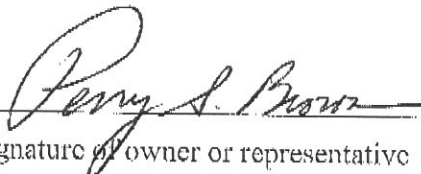
Petitioner's mailing address, continued

Petitioner's phone number/email address



232 Matthews Station Street
Matthews, NC 28105
704.847.4411

I hereby request the Town of Matthews to begin the application process for a rezoning petition to update the zoning district where my property is located, and prepare associated zoning variance applications if required. I understand that an application requiring my signature must be in place prior to commencement of the rezoning process. Once the rezoning process is underway, Town staff will act as representative to the owner throughout the process and will process all paperwork and conduct due diligence to move the rezoning petition towards a final decision date.

 MANAGER OF PHPJL, LLC
Signature of owner or representative

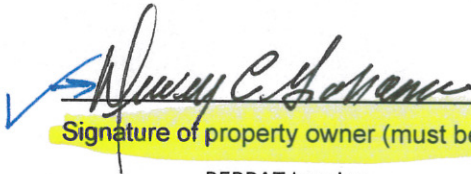
November 1, 2011
Date

List reason(s) why zoning should be changed (use separate sheet if necessary):

The zoning request seeks to convert these properties from the defunct "old conditional" zoning to either the B-1 or B-2 zoning categories in the current Zoning Ordinance.

Application number

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Signature of property owner (must be original)
REBPAT Leasing

Print name of property owner

PO Box 240525

Property owner's mailing address

Charlotte NC 28224

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

I hereby request the Town of Matthews to begin the application process for a rezoning petition to update the zoning district where my property is located, and prepare associated zoning variance applications if required. I understand that an application requiring my signature must be in place prior to commencement of the rezoning process. Once the rezoning process is underway, Town staff will act as representative to the owner throughout the process and will process all paperwork and conduct due diligence to move the rezoning petition towards a final decision date.

Reb Pat Leasing - Nancy C. Graham

Signature of owner or representative

11/2/11

Date

List reason(s) why zoning should be changed (use separate sheet if necessary):

The zoning request seeks to convert these properties from the defunct "old conditional" zoning to either the B-1 or B-2 zoning categories in the current Zoning Ordinance.

Application number

For office use only

✓ → Tina Marie Bogucka member/manager

Signature of property owner (must be original)

TMB Ventures, LLC

Tina Marie Bogucka

Print name of property owner

245 Old Hickory Rd

Property owner's mailing address

Locust NC 28097

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

I hereby request the Town of Matthews to begin the application process for a rezoning petition to update the zoning district where my property is located, and prepare associated zoning variance applications if required. I understand that an application requiring my signature must be in place prior to commencement of the rezoning process. Once the rezoning process is underway, Town staff will act as representative to the owner throughout the process and will process all paperwork and conduct due diligence to move the rezoning petition towards a final decision date.

Anna Marie Boyuka member/manager
Signature of owner or representative

11-1-11
Date

Mecklenburg County, North Carolina

POLARIS**Property Ownership Land Records Information System**

Date Printed: Wed Nov 09 2011 08:19:10 GMT-0500 (Eastern Standard Time)

2011-578

This map is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2011-578

For office use only

19330310

TAX PARCEL

Rebpat Leaisng

PROPERTY OWNER NAME(S)

PO Box 240525

OWNER MAILING ADDRESS

Charlotte, NC 28224-0525

OWNER MAILING ADDRESS, CONTINUED

19330304

TAX PARCEL

PMPJL LLC

PROPERTY OWNER NAME(S)

112 East William David Parkway

OWNER MAILING ADDRESS

Metairie, LA 70005

OWNER MAILING ADDRESS, CONTINUED

19330314

TAX PARCEL

TMB Ventures LLC

PROPERTY OWNER NAME(S)

245 Old Hickory Road

OWNER MAILING ADDRESS

Locust, NC 28097

OWNER MAILING ADDRESS, CONTINUED

19330311

TAX PARCEL

Charlotte Metro Federal Credit Union

PROPERTY OWNER NAME(S)

718 Central Avenue

OWNER MAILING ADDRESS

Charlotte, NC 28204

OWNER MAILING ADDRESS, CONTINUED

19330308

TAX PARCEL

Los Tres Amigos, Inc.

PROPERTY OWNER NAME(S)

116 E. Woodlawn Road

OWNER MAILING ADDRESS

Charlotte, NC 28217

OWNER MAILING ADDRESS, CONTINUED

19330303

TAX PARCEL

SC Windsor Associates c/o Walmart Property Tax Dept

PROPERTY OWNER NAME(S)

PO Box 8050; MS 0555

OWNER MAILING ADDRESS

Bentonville, AR 72712-8050

OWNER MAILING ADDRESS, CONTINUED

19330202

TAX PARCEL

SC Windsor Associates LP

PROPERTY OWNER NAME(S)

340 Royal Poinciana Way #316

OWNER MAILING ADDRESS

Palm Beach, FL 33480

OWNER MAILING ADDRESS, CONTINUED

19323123

TAX PARCEL

Morningstar Office LLC Attn P McArthur

PROPERTY OWNER NAME(S)

9801 Independence Pointe Parkway

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

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Application number

2011-578

For office use only

19323125

TAX PARCEL

Befreit, Inc.

PROPERTY OWNER NAME(S)

3776 S. High Street

OWNER MAILING ADDRESS

Columbus, OH 43207-4012

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

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TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411, extension 224) for verification.

Application submitted to and accepted by the Town of Matthews _____ 11/04/11

Town Board of Commissioners formally accepts application and sets Public Hearing date _____ 11/14/11

Notices sent via mail to affected/adjacent property owners on or before _____ 11/28/11

Protest petition filed with Planning Department by 5:00 pm on _____ 12/07/11

Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning _____ 12/12/11

Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request _____ 12/27/11

Town Board of Commissioners approves or denies application _____ 1/9/12

GENERAL STATUTE 160A-385: CHANGES.

- (a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.
- (b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to GS 160A-418 and unrevoked pursuant to GS 160A-422 or (ii) a vested right has been established pursuant to GS 160A-385.1 and such vested right remains valid and unexpired pursuant to GS 160A-385.1